

Petitioner's Name or Lawyer's Name: (A)

Address:

City, State, Zip Code:

Telephone:

ATLAS Number:

Lawyer's Bar Number:

Representing ☐ Self, without a Lawyer or Attorney for ☐ Petitioner

Respondent's Name or Lawyer's Name: (B)

Address:

City, State, Zip Code:

Telephone:

ATLAS Number:

Lawyer's Bar Number:

Representing ☐ Self, without a Lawyer or Attorney for ☐ Respondent

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

Petitioner's Name (C) Case Number (D)

☐ **STIPULATION TO FILE CONSENT
DECREE OF DIVORCE
OF A NON-COVENANT
MARRIAGE**

Respondent's Name

OR
☐ **DECREE OF LEGAL
SEPARATION OF A NON-
COVENANT MARRIAGE**

STATE OF ARIZONA)
County of Maricopa) ss.

INSTRUCTIONS: This document has a separate instruction sheet. The letters following the paragraphs match the letters in the instruction sheet. Each party must put his or her initials in the space provided for every statement that is true. **If any statement is not true, you cannot file a "Consent Decree of Divorce" or "Consent Decree of Legal Separation" and you should see a lawyer for help. If the statement does not apply to your case, write "N/A" for "not applicable" in the space for your initials.**

Petitioner's Initials Respondent's Initials

1. **AGREE AND UNDERSTAND.** I have read this Stipulation and the Decree. I understand and agree with what is written in both documents, including that a Decree should be entered in my case. I have made sure that we have filled out the entire document and that there are no blanks, except for the blank date and signature line for the judge/commissioner to sign. **(E)**

Petitioner's
Initials

Respondent's
Initials

2. **TIME FRAME.** Respondent was served on _____.
(Petitioner or Respondent must write in the date that the Respondent was served with the court papers or signed the Acceptance or Waiver of Service.) If this is a divorce case, this means, you will not submit this document and the Decree to the Court for signature until at least **64** days have passed since the date the Respondent was served with the divorce papers by a process server, the deputy sheriff, or signed **the "Acceptance of Service" or "Waiver of Service"**. (F)

3. **NON-COVENANT MARRIAGE.** We do not have a covenant marriage. (G)

4. **PAYMENT OF COURT FEES.** I have paid the court fees. I am submitting a copy of my receipt to prove payment. (Both the Petitioner and the Respondent must provide a copy of his or her receipt.) **OR** I have received an initial Order deferring my fees and/or costs and I have enclosed a copy of that Order. (H)

5. **SELF-ADHESIVE, REMOVABLE TABS OR MARKERS.** I have put self-adhesive, removable tabs or markers on the page(s) of the original and two (2) copies of the Decree where the judge/commissioner dates and signs the Decree. If applicable, I have also put a self-adhesive, removable tab or marker on the original and 2 copies of the "Wage Assignment Order" where the judge/commissioner dates and signs the Order. (I have used easily removable tabs. I have not used paper-clips or tape.) (I)

6. **ORIGINAL DOCUMENT AND COPIES.** I am giving the judge/commissioner the following items: (Check each box to show that you have done each item.) (J)
- ☐ **Original** Stipulation to File Consent Decree of Divorce or Legal Separation, signed and notarized by you and the other party;
 - ☐ **Original and 2 copies** of Decree of Divorce or Decree of Legal Separation, signed and notarized by you and the other party;
 - ☐ Two pre-addressed, postage paid envelopes (9"x 14"): Address one envelope to yourself. Address one envelope to the other party. (The court will mail to you and other party a signed copy of the Decree.)
 - ☐ A **copy** of the receipt(s) and/or Order(s) of deferral that show that both parties have paid the court fees or have had the court fees deferred.

7. **APPEARANCE BY RESPONDENT.** The Respondent states that by signing this Stipulation, the Respondent has made a formal appearance and is submitting to the jurisdiction of this court. (K)

Petitioner's
Initials

Respondent's
Initials

8. **RIGHT TO TRIAL IS WAIVED.** I understand that by signing this Stipulation and signing the Decree, I am waiving my right to a trial before a judge. **(L)**

9. **NO DURESS OR COERCION. COMPLETE AGREEMENT.** I am not under any force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Stipulation. The Decree with attachments, if any, that I have signed is our full agreement. I have not agreed to something different from what is stated in writing in the Decree. **(M)**

10. **LEGAL ADVICE.** I understand that even if I am representing myself without a lawyer, I have the right to be represented by a lawyer. I have the right to call a lawyer and get legal advice before I sign this Stipulation and the Decree. **(N)**

11. **JUDICIAL DISCRETION.** I understand that the judge/ commissioner will review all the papers and decide in his or her discretion whether to sign the Decree or not. I understand that it takes at least thirty (30) days from the day that I submit the Decree for the judge/commissioner to sign the papers and return a copy to me. **(O)**

12. **IRRETRIEVABLY BROKEN MARRIAGE.** I agree that our marriage is irretrievably broken. There is no reasonable prospect of reconciliation or we desire to live separate and apart if this is a Legal Separation case. **(P)**

13. **DIVISION OF PROPERTY.** The agreement about division of property and debts is fair and equitable. I agree that all right, title and interest to the property has been transferred/turned over to the other party **OR** the following items have **not** been transferred/turned over: **(Q)** _____

_____ I agree that the property as described above will be turned over to the other party on or before: _____.

month/day/year

DIVORCE OR LEGAL SEPARATION CASES INVOLVING CHILDREN ONLY.

If a "*Petition for Dissolution of Marriage WITH CHILDREN*" was filed or "*Petition for Legal Separation WITH CHILDREN*" was filed, both the Petitioner and the Respondent must initial paragraphs 14, 15, 16 and 17 if the paragraphs are true. If the paragraphs are **not** true, you **cannot** proceed by "*Consent Decree*." If you filed a "*Petition for Dissolution of Marriage or Legal Separation WITHOUT CHILDREN*", write in N/A on the space provided for paragraphs 14, 15, 16, 17, and then go on.

Petitioner's
Initials

Respondent's
Initials

14. CUSTODY, VISITATION AND CHILD SUPPORT.

The arrangement for custody, visitation and child support are in the best interests of the child(ren). **(R)**

- ☐ Child Support has been calculated without any deviation from the guidelines. OR
- ☐ Child Support has been calculated and the parties agree and request a deviation from the guidelines for the following reasons: (Explain why the judge should allow you to deviate from the child support guidelines. Use additional paper if necessary.)

15. DOMESTIC VIOLENCE. If you are asking for joint custody of the child(ren), you must check box "A" or box "B" and tell the judge whether there has been domestic violence in your marriage. **(S)**

- A. ☐ Domestic violence has **not** occurred during this marriage, OR
- B. ☐ Domestic violence has **not** been significant. Explain why joint custody is in the best interest of the child(ren) even though domestic violence has occurred: (Use additional paper if necessary.)

16. PARENT INFORMATION PROGRAM. I have completed the Parent Information Program class and have filed the **"Certificate of Completion"** with the Clerk of the Court. Copies of the Petitioner's and Respondent's Certificates of Completion are enclosed. **(T)**

State law requires that both the Petitioner and Respondent must attend the class and file the original **"Certificate of Completion"** with the Clerk of the Court before the judge will sign the Decree. The court understands that there are, in rare instances, times when a party cannot attend the class. If a party will not or has not completed the class, tell the judge why the party will not or has not completed the class in the space below.

Keep in mind that the judge can still require both parties to attend the class before the judge will sign the Decree. You should also know that any party who refuses to attend the class, will be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class.

Petitioner's
Initials

Respondent's
Initials

17. CHILDREN. If you and the other party have children together, and these children are part of the Decree, you must give the Judge/Commissioner the following items. Check the box next to each item to tell the Judge/Commissioner that you are giving the Judge/Commissioner the Original and 2 copies of each of the following documents: **(U)**

- ☐ Child support has already been ordered by this court. There is no need to change the child support order at this time. A copy of the **"Child Support Order"** is attached. (You do not need to provide an original and 2 copies of the order if you checked this box. You must attach one copy of the signed order.)
- ☐ **"Child Support Worksheet"** signed and notarized by both parties.
- ☐ **"Child Support Order"** (Not necessary if the decree provides for the final amount, and the date child support payments begin.)
- ☐ **"Order of Assignment"**
- ☐ **"Judgment Data Sheet"**
- ☐ If you have asked the court for joint or shared custody of the children, you **must** give the judge/commissioner an **Original and 2 copies** of a Parenting Plan **signed by both parties** that includes a statement that you and the other party agree to joint custody of the minor children.

SIGNATURE BY PETITIONER: Everything stated by me in this Stipulation is true and correct to the best of my knowledge, information and belief. **(V)**

PETITIONER'S SIGNATURE

SUBSCRIBED AND SWORN to before me this _____ day of _____, _____, by the Petitioner.

My Commission Expires:

NOTARY PUBLIC

SIGNATURE BY RESPONDENT: Everything stated by me in this Stipulation is true and correct to the best of my knowledge, information and belief.

RESPONDENT'S SIGNATURE

SUBSCRIBED AND SWORN to before me this _____ day of _____, _____, by the Respondent.

My Commission Expires:

NOTARY PUBLIC

SIGNATURE OF EACH LAWYER (if applicable): **(W)**

Approved by Petitioner's Lawyer: _____

Date: _____

Approved by Respondent's Lawyer: _____

Date: _____